

**REMARKS**

Claims 1-17 are pending in the present application. In the above Final Office Action the Examiner has made the following actions as further described below.

**Claim Rejections**

**Claim Rejections Under 35 U.S.C. § 103**

The Examiner has rejected claims 1-17 as being obvious in light of Bruckert, United States Patent 6,018,651. Applicant respectfully traverses.

**Bruckert Disclosure**

Bruckert is directed to a radio subscriber unit having a controller and switched antenna diversity receiver, with the controller selectively coupling one or both of the diversity antennas to the receiver [Abstract]. It is important to note that while Bruckert describes providing selective coupling of one or both antennas to the receiver, Bruckert lacks any description of performing the selection based on determination of a channel characteristic, such as the coherence time.

**Differences Between Bruckert and the Present Invention**

The Examiner has asserted that Bruckert describes all elements of the present invention as described in claims 1-3. Applicant respectfully submits that Bruckert fails to describe all such

elements, however, in the interest of furthering prosecution, Applicant has amended the claims as further described below.

One aspect of the present invention as is, for example, described in claim 4, relates to selection of a signal provided from a first or a second LNA based at least in part on determination of a channel characteristic of the wireless channel. Such a channel characteristic may be the coherence time of the wireless channel. Coherence time is a term of art in the wireless technology field used to characterize the time varying nature of the frequency dispersiveness of the channel in the time domain, and the coherence time is related to the Doppler frequency. In accordance with aspects of the present invention, during operation, the coherence time may be measured and used to determine when to switch LNAs, such as is described on pages 8-10 of the specification and illustrated in figures 9-13.

The Examiner asserts that Bruckert teaches such LNA selection based on the coherence time of the wireless channel, citing Col. 13, lines 47-49, and stating that he has interpreted "the time before choosing to select either antenna to the receiver as analogous to the elapsed time receiving on a wireless channel has elapsed." Applicant respectfully submits that Bruckert fails to teach such an element. More specifically, Bruckert Col. 13, lines 47-49 states simply that:

For a period of time before selectively coupling either the first antenna 114 and the load 124 or the second antenna 116 and the load 124 to the receiver 126, the controller 108 couples both the first antenna 114 and the second antenna 116 to the receiver 126.

Put another way, the cited section merely states that prior to selectively coupling the first or second antenna to a load, the controller couples both antennas to the load. This has nothing to do

with determining a channel characteristic, or antenna selection based on such a characteristic. Moreover, Applicant is unable to find any description or suggestion in Bruckert of antenna selection based on determination of a channel characteristic of the associated wireless channel, or in particular based on determination of the coherence time of the channel.

For at least the above described reasons, Bruckert fails to describe or suggest all elements of the present invention, and in particular antenna selection based on determination of a channel characteristic of the wireless channel such as the coherence time. Accordingly, Applicant has amended claims 1, 3, 5, 6, 10, 12, 13, 16 and 17 to include this aspect of the present invention, and has cancelled claims 9 and 15.

In light of the above remarks and claim amendments, Applicant respectfully submits that the remaining claims are now in condition for allowance, and Applicant therefore requests that the Examiner allow claims 1-8, 10-14 and 16-17, as amended.

#### **New Claims**

Applicant has added new dependent claim 18 as supported by the specification and drawings. Applicant requests that dependent claim 18 also be allowed for at least the above reasons.

#### **Concluding Comments**

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment does not signify agreement with or

concession of that rejection, issue, or comment. In addition, because the arguments made are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim except as specifically stated in this paper.

In light of the above remarks and claim amendments, Applicant believes that the remaining claims are now in condition for allowance. Applicant respectfully requests consideration of the remarks herein prior to further examination of the above-identified application. The undersigned would of course be available to discuss the present application with the Examiner if, in the opinion of the Examiner, such a discussion could lead to resolution of any outstanding issues.

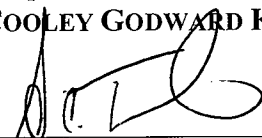
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